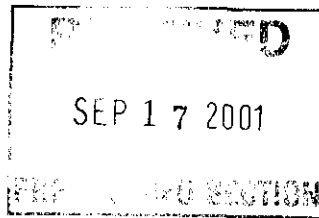


**PHARMACIA**



95718 ORIGINAL (Red)

7000 Portage Road  
Kalamazoo, Michigan 49001  
Tel: 616.833.7595  
Fax: 616.833.3661  
j.william.whitlock@pharmacia.com

September 12, 2001

VIA AIRBORNE #9370656175

Ms. Carlyn Winter Prisk (3HS11)  
U. S. Environmental Protection Agency, Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

Re: Lower Darby Creek Area Superfund Site – Clearview Landfill, Folcroft Landfill  
and Folcroft Landfill Annex, Philadelphia County, PA (“Site”)

Dear Ms. Prisk:

This letter and its attachments are in response to your information request letter addressed to Monsanto Company (“Monsanto”) c/o Pharmacia Corporation (“Pharmacia”) dated August 8, 2001 regarding the Site. Due to recent corporate organizational transactions, which are explained in detail on Attachment A and in our response to Question #1.c., we are responding on behalf of Pharmacia and on behalf of Monsanto (“Companies”), as they now exists. We appreciate your cooperation in allowing us additional time to gather information related to this response. (See the enclosed copy of our confirmation dated August 14.)

Effective September 1, 1997, the Monsanto Company (now known as Pharmacia) spun off its chemical businesses into a separate company, Solutia Inc. (“Solutia”). Solutia is a publicly-held corporation incorporated in Delaware. Under the separation agreement between the two parties, Solutia agreed to respond to inquiries from regulatory agencies and to indemnify Monsanto, now Pharmacia, for certain liabilities related to its chemical businesses. In accordance with the terms and conditions of the aforementioned separation agreement, we have notified Solutia of the letter from EPA regarding the Site and of the findings of our investigation. In addition, we have been notified that Solutia received a separate 104(e) request from the EPA for this Site. Please refer to Solutia’s 104(e) response to the EPA dated August 30, 2001 for any information relating to Monsanto’s former chemical business (“Solutia’s Response”).

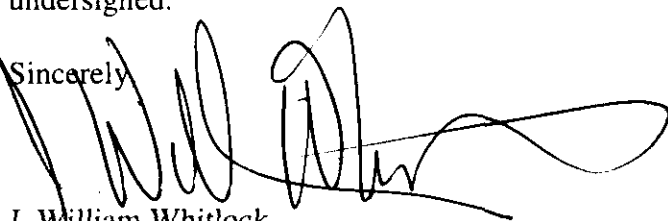
The Companies object to the overly broad assumption of authority implicit in the information request, which the U.S. Environmental Protection Agency (“EPA”) asserts is conferred by the Comprehensive Environmental Response, Compensation & Liability Act (“CERCLA”), 42 U.S.C. § 9601 *et. seq.*, and other laws. The Companies also object to the overly broad scope of the questions and to the vague and/or confusing definitions and instructions included within EPA’s information request. Nevertheless, consistent with their policies of cooperation with government agencies, both Pharmacia and Monsanto are hereby responding to EPA’s request, while at the same time reserving all objections and defenses to EPA’s

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statement of authority or the scope of information requested. As demonstrated by the attached response, we are not aware of any information responsive to the factual inquiry relating to the Site which is the subject of this request for information. (See Attachment: "Pharmacia's and Monsanto's Response to Request for Information: Lower Darby Creek Area Superfund Site.")

If you have any questions regarding this information, please feel free to contact the undersigned.

Sincerely,



J. William Whitlock  
Assistant General Counsel

JWW:jas

cc: Michael D. Bryan, Monsanto Company  
Diana M. Hutter, Monsanto Company  
Jeffrey H. Waldbeser, Monsanto Company  
Judith A. Reinsdorf, Esq., Pharmacia Corporation  
John C. Hunter, III, President and Chief Executive Officer, Solutia Inc.  
Karl R. Barnickol, Esq. General Counsel, Solutia Inc.  
Brent J. Gilhousen, Esq., Solutia Inc.  
Mary M. Shaffer, Husch & Eppenberger, LLC (Counsel to Monsanto)

Attachments:

Fax to EPA Dated August 14, 2001  
Response to Request for Information  
Att. A- Corporate Merger History  
Charts 1 & 2

# Pharmacia & Upjohn

For operator assistance call (616) 833-5338

ORIGINAL  
(Ver)

To: Carlyn Winter Prisk

Firm: U.S. EPA – Region III

Fax No: 215-814-3005

Subject: Lower Darby Creek Area Superfund Site – 104(e) Request for Information

From: Judith Sepanik

Tel No: (616) 833-6607

Fax No: (616) 833-3661

Date: August 14, 2001

Pages (including this one): 1

Dear Ms. Prisk:

This will confirm our telephone conversation this morning regarding Region III's request for information on the Lower Darby Creek Area Superfund Site, which we just received via fax from the Pharmacia corporate headquarters in New Jersey.

We appreciate your cooperation in allowing us additional time to gather information. If our response is not completed by August 29, we will contact you with an update of our status. It is our understanding that, if necessary, you are willing to extend the deadline for our response to September 13, 2001.

If you need to contact us for any reason, feel free to call me at the number shown above or our environmental attorney, J. William Whitlock, at 616-833-7595.

Judith A. Sepanik  
Legal Assistant

PHARMACIA & UPJOHN, 7000 Portage Road, Kalamazoo, MI 49001

**Confidentiality Note:** The documents accompanying this telecopy transmission contain information belonging to Pharmacia & Upjohn which is confidential and/or legally privileged. The information is intended only for the use of the individual or entity named above and disclosure to third parties may violate the attorney-client privilege, the attorney work product exemption, or Company restrictions on the use of confidential material. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this telecopied information is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone to arrange for the return of the original documents to us.

10/1/84

**PHARMACIA'S AND MONSANTO'S RESPONSE TO REQUEST FOR INFORMATION:**  
**LOWER DARBY CREEK AREA SUPERFUND SITE**

**General Objection**

The Companies object to the information requested as unduly burdensome and broad and not likely to lead to the discovery of relevant evidence.

**Specific Responses**

1. **State the name of your company, its mailing address, and telephone number.**

**Response:**

Pharmacia Corporation  
7000 Portage Road  
Kalamazoo, Michigan 49001  
616-833-4000

Monsanto Company  
800 North Lindbergh Blvd.  
St. Louis, MO 63167  
314-694-1000

**Further identify:**

- a. **The dates and states of incorporation of your company;**

**Response:** See Attachment A

- b. **The date and original state of incorporation of your company; and**

**Response:** See Attachment A

- c. **The parent corporation of your company, if any, and all subsidiaries or other affiliated entities.**

**Response:** Given the extent and nature of corporate transactions leading to this response on behalf of two separate corporate entities, a direct response to the above request would be unhelpful and irrelevant. Consequently, we will attempt in this response to provide information

regarding those transactions.

Effective September 1, 1997, the former Monsanto Company, now Pharmacia Corporation, spun off certain of its chemical businesses into a separate company, Solutia Inc. ("Solutia"). Solutia is a publicly-held corporation incorporated under the laws of the State of Delaware. Under the separation agreement between the two parties, Solutia agreed to assume defense and liability relative to chemical businesses which became a part of Solutia Inc.

After the Pharmacia/Monsanto merger in 2000, when Monsanto changed its name to Pharmacia Corporation, the former Monsanto agricultural businesses were spun off into the newly named Monsanto Company. Monsanto is now a subsidiary of Pharmacia with Pharmacia owning slightly in excess of 85 percent of the outstanding Monsanto stock. (See Attachment A and Charts 1 and 2.)

There currently exists a multitude of subsidiaries and affiliates of the parent corporation, Pharmacia Corporation, organized and operated throughout the world. Information and data on each individual subsidiary is far beyond the appropriate scope of inquiry in connection with the Site and to the extent such information is requested, the Companies hereby object to said request.

2. **What is the current nature of the business or activity conducted at your establishment(s) in the Philadelphia, Pennsylvania, area? What was the nature of Monsanto's business or activity between 1958 and 1976? Please describe in detail. If the nature of your business or activity changed from the period of 1958 to 1976 to the present, please provide a detailed explanation of the changes to date.**

Response: Please refer to Solutia's Response.

3. **Identify all persons currently or formerly employed by Monsanto or Pharmacia who have or may have personal knowledge of your operations and waste disposal practices between 1958 and 1976 at your facilities in the Philadelphia, Pennsylvania, area. For each such person, state that person's employer, job title, dates of employment, current address, and the last known telephone number of last known address of such person.**

Response: Please refer to Solutia's Response.

4. **Identify the owners and operators of your establishment(s) in the Philadelphia, Pennsylvania area from 1958 to present. For each owner and operator further provide:**

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- a. The dates of their operation;
  - b. The nature of their operation; and
  - c. All information or documents relating to the handling and/or generation, storage, treatment, recycling, formulation, disposal, or transportation of any hazardous substance, hazardous waste, pollutant, contaminant, or other waste during the period in which they were operating the establishment(s).

Response: Please refer to Solutia's Response.

- 5. Describe the types of documents generated or maintained by your establishment(s) in the Philadelphia, Pennsylvania area concerning the handling and/or generation, storage, treatment, transportation, recycling, formulation, or disposal of any hazardous substance, hazardous waste, pollutant, contaminant or other waste between 1958 and 1976.
  - a. Provide a description of the information included in each type of document and identify the person who was/is the custodian of the documents;
  - b. Describe any permits or permit applications and any correspondence between your company and/or establishment(s), and any regulatory agencies regarding the transportation and disposal of such wastes; and
  - c. Describe any contracts or correspondence between your company and/or establishment(s) and any other company or entity regarding the transportation and disposal of such wastes.

Response: No information responsive to this inquiry has been located in the course of our investigation into this matter.

Please refer to Solutia's Response.

- 6. Identify every hazardous substance used, generated, purchased, stored, or otherwise handled at your establishment(s) in the Philadelphia, Pennsylvania area between 1958 and 1976. Provide chemical analyses and Material Safety Data Sheets ("MSDS"). With respect to each such hazardous substance, further identify:
  - a. The process(es) in which each hazardous substance was used, generated, purchased, stored, or otherwise handled;

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- b. The chemical composition, characteristics, and physical state (solid, liquid, or gas) of each such hazardous substance;**
  - c. The annual quantity of each such hazardous substance used, generated, purchased, stored, or otherwise handled;**
  - d. The beginning and ending dates of the period(s) during which such hazardous substance was used, generated, purchased, stored, or otherwise handled;**
  - e. The types and sizes of containers in which these substances were transported and stored; and**
  - f. The persons or companies that supplied each such hazardous substance to your company.**

Response: No information responsive to this inquiry has been located in the course of our investigation into this matter.

Please refer to Solutia's Response.

- 7. Identify all by-products and wastes generated, stored, transported, treated, disposed of, released, or otherwise handled by your establishment(s) in the Philadelphia, Pennsylvania, area between 1958 and 1976. With respect to each such by-product and waste identified, further provide:**
- a. The process(es) in which each such by-product and waste was generated, stored, transported, treated, disposed of, released, or otherwise handled;**
  - b. The chemical composition, characteristics, and physical state (solid, liquid, or gas) of each such by-product or waste;**
  - c. The annual quantities of each such by-product and waste generated, stored, transported, treated, disposed of, released, or otherwise handled;**
  - d. The types, sizes, and numbers of containers used to treat, store, or dispose of each such by-product or waste;**
  - e. The name of the individual(s) and/or company(ies) that disposed of or treated each such by-product or waste; and**

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- f. The location and method of treatment and/or disposal of each such by-product or waste.**

Response: No information responsive to this inquiry has been located in the course of our investigation into this matter.

Please refer to Solutia's Response.

- 8. Did your company ever contract with, or make arrangements with Clearview, Folcroft, Folcroft Annex, Eastern Industrial, Tri-County Hauling, S. Buckly Trash Hauling, Barratt Rupurt, McCloskey Engineering, Marvin Jonas, Jonas Waster Removal, Schiavo Bros., Inc., ADM Disposal Services and/or any other company or municipality to remove or transport material from your establishment(s) in the Philadelphia, Pennsylvania, area between 1958 and 1976 for disposal? If so, for each transaction identified above, please identify:**
- a. The person with whom you made such a contract or arrangement;**
  - b. The date(s) on which or time period during which such material was removed or transported for disposal;**
  - c. The nature of such material, including the chemical content, characteristics, and physical state (i.e., liquid, solid, or gas);**
  - d. The annual quantity (number of loads, gallons, drums) of such material;**
  - e. The manner in which such material was containerized for shipment or disposal;**
  - f. The location to which such material was transported for disposal;**
  - g. The person(s) who selected the location to which such material was transported for disposal;**
  - h. The individuals employed with any transporter identified (including truck drivers, dispatchers, managers, etc.) with whom your establishment dealt concerning removal or transportation of such material; and**
  - i. Any billing information and documents (invoices, trip tickets, manifests, etc.) in your possession regarding arrangements made to remove or transport such material.**



Response: No information responsive to this inquiry has been located in the course of our investigation into this matter.

Please refer to Solutia's Response.

**9. Provide the names, titles, areas of responsibility, addresses, and telephone numbers of all persons who, between 1958 and 1976, may have:**

- a. Disposed of or treated materials at Clearview, Folcroft and Folcroft Annex or other areas of the Site;**
- b. Arranged for the disposal or treatment of materials at Clearview, Folcroft and Folcroft Annex or other areas of the Site; and/or**
- c. Arranged for the transportation of materials to Clearview, Folcroft and Folcroft Annex or other areas of the Site (either directly or through transshipment points) for disposal or treatment.**

Response: No information responsive to this inquiry has been located in the course of our investigation into this matter.

**10. For every instance in which your establishment(s) disposal of or treated material at Clearview, Folcroft and Folcroft Annex or other areas of the Site, or arrange for the disposal or treatment of material at the Site, identify:**

- a. The date(s) on which such material was disposed of or treated at the Site;**
- b. The nature of such material, including the chemical content, characteristics, and physical state (i.e., liquid, solid, or gas);**
- c. The annual quantity (number of loads, gallons, drums) of such material;**
- d. The specific location on the Site where such material was disposed of or treated; and**
- e. Any billing information and documents (invoices, trip tickets, manifests, etc.) in your company's or establishment's(s') possession regarding arrangements made to dispose of or treat such material at the Site.**

Response: No information responsive to this inquiry has been located in the course of our investigation into this matter.

11. **Did your establishment(s), or any other company or individual ever spill or cause a release of any chemicals, hazardous substances, and/or hazardous waste, and/or non-hazardous solid waste on any portion of Clearview, Folcroft and Folcroft Annex or any other portion of the Site? If so, identify the following:**
- a. **The date(s) the spill(s)/release(s) occurred;**
  - b. **The composition (i.e., chemical analysis) of the materials which were spilled/released;**
  - c. **The response made by you or on your behalf with respect to the spill(s)/release(s); and**
  - d. **The packaging, transportation, and final disposition of the materials which were spilled/released.**

Response: No information responsive to this inquiry has been located in the course of our investigation into this matter.

12. **Please identify individuals employed by your establishment(s) who were responsible for arranging for the removal and disposal of wastes, and individuals who were responsible for payments, payment approvals, and record keeping concerning such waste removal transactions at your Philadelphia, Pennsylvania, area establishment(s) between 1958 and 1976. Provide current or last known addresses and telephone numbers where they may be reached. If these individuals are the same persons identified by your answer to question 3, so indicate.**

Response: The Companies have no knowledge of responsive information.

Please refer to Solutia's Response.

13. **Did you or any person or entity on your behalf ever conduct any environmental assessments or investigations relating to contamination at Clearview, Folcroft and Folcroft Annex or any other areas of the Site? If so, please provide all documents pertaining to such assessments or investigations.**

Response: The Companies have no knowledge of responsive information.

- Solutia  
Response
- 14. If you have any information about other parties who may have information which may assist the EPA in its investigation of the Site, including Clearview, Folcroft and Folcroft Annex, or who may be responsible for the generation of, transportation to, or release of contamination at the Site, please provide such information. The information you provide in response to this request should include the party's name, address, telephone number, type of business, and the reasons why you believe the party may have contributed to the contamination at the Site or may have information regarding the Site.**

Response: The Companies have no knowledge of responsive information..

Please refer to Solutia's Response.

**15. Representative of your establishment(s):**

- a. Identify the person(s) answering these questions on behalf of your establishment(s), including full name, mailing address, business telephone number, and relationship to the company.**

Response:

Monsanto Company

Address: 800 North Lindbergh Blvd., St. Louis, MO 63167

Phone: 314-694-1000

Diana M. Hutter, Environmental Paralegal

Karen Marschel, Environmental Paralegal

Jeffrey H. Waldbeser, Remediation Manager

Pharmacia Corporation

Address: 7000 Portage Road, Kalamazoo, MI 49001

Phone: 616-833-4000

J. William Whitlock, Esq.

Judith A. Sepanik, Environmental Paralegal

- b. Provide the name, title, current address, and telephone number of the individual representing your establishment(s) to whom future correspondence or telephone calls should be directed.**

PHOTOCOPY  
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Response:

J. William Whitlock, Esq.  
Associate General Counsel, ESH  
Pharmacia Corporation  
7000 Portage Road  
Kalamazoo, MI 49001  
616-833-7595

- 16. If any of the documents solicited in this information request are no longer available, please indicate the reason why they are no longer available. If the records were destroyed, provide us with the following:**
- a. Your document retention policy;**
  - b. A description of how the records were/are destroyed (burned, archived, trashed, etc.) and the approximate date of destruction;**
  - c. A description of the type of information that would have been contained in the documents; and**

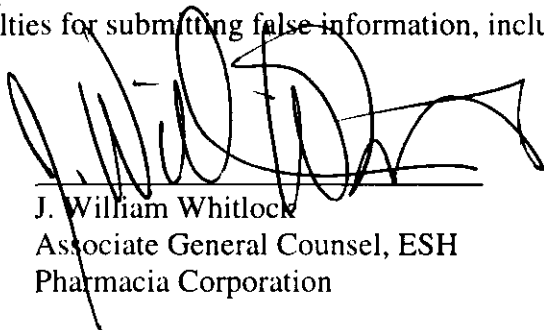
**The name, job title, and most current address known to you of the person(s) who would have produced these documents; the person(s) who would have been responsible for the retention of these documents; and the person(s) who would have been responsible for the destruction of these documents.**

Response: Please refer to Solutia's Response.

**CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION**

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (Response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

By:

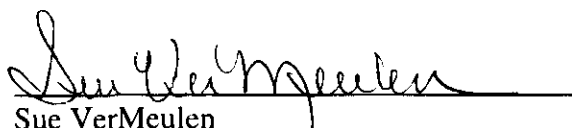


J. William Whitlock  
Associate General Counsel, ESH  
Pharmacia Corporation

STATE OF MICHIGAN )

COUNTY OF KALAMAZOO )

On September 12, 2001, before me, a Notary Public in and for said County, personally appeared J. William Whitlock, to me known to be the same person described in and who executed the within instrument, who acknowledges the same to be his free act and deed.



Sue VerMeulen

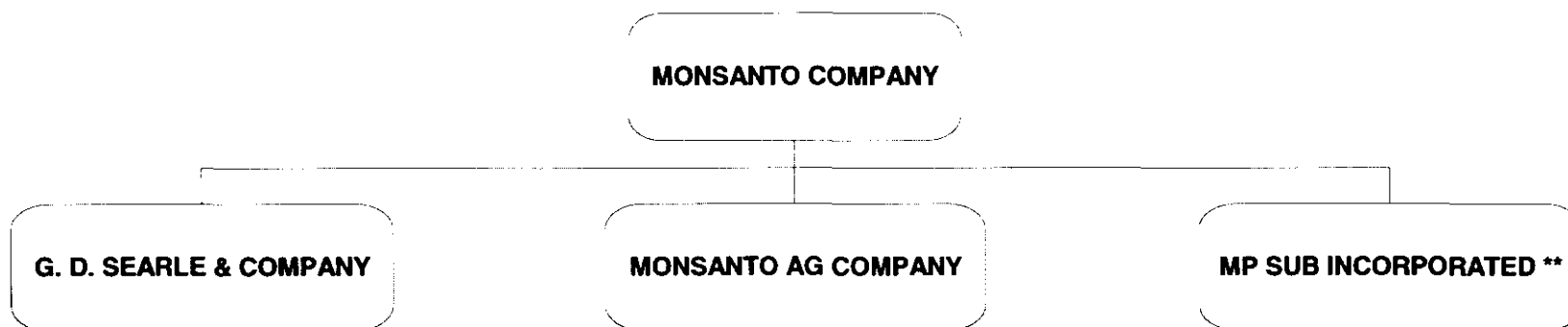
Notary Public

Kalamazoo County, Michigan

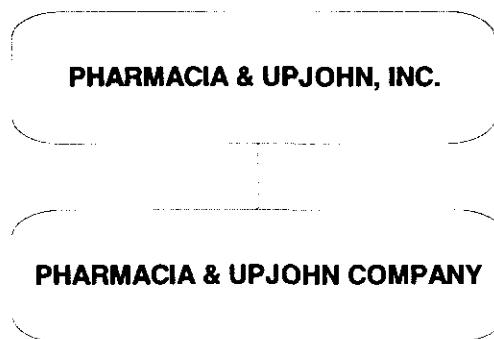
My commission expires: 11/5/03

## STRUCTURE IMMEDIATELY PRIOR TO MERGER\*

### MONSANTO:



### PHARMACIA & UPJOHN:

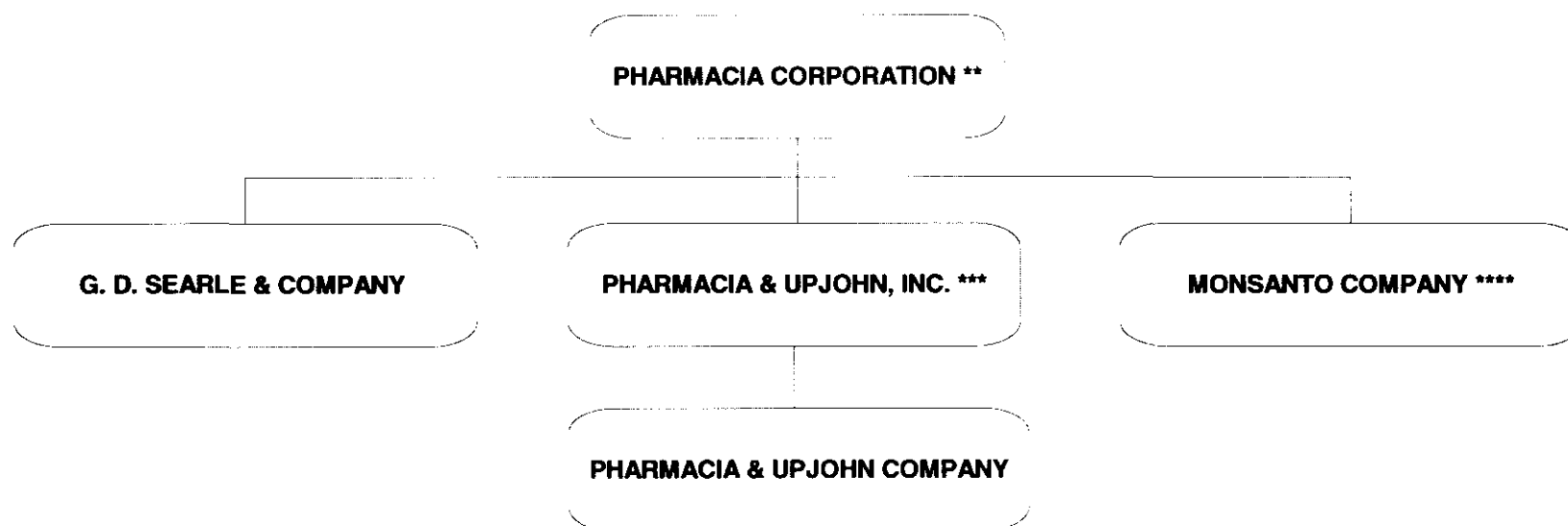


\* All subsidiaries wholly owned by immediate parent corporation.

\*\* Created for purpose of implementing the intended merger of Monsanto and Pharmacia & Upjohn.

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## STRUCTURE AFTER MERGER \*



\* All subsidiaries wholly owned by immediate parent company.

\*\* Monsanto Company changed its name to Pharmacia Corporation.

\*\*\* Pharmacia & Upjohn, Inc. had merged into MP Sub and was the surviving company in that merger.

\*\*\*\* Monsanto Ag Company changed its name to Monsanto Company.

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11/11/00

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## Attachment A

### **PHARMACIA CORPORATION** **(PARENT COMPANY)** **CORPORATE HISTORY**

#### History of Pharmacia Corporation:

On March 31, 2000, Pharmacia & Upjohn, Inc., a Delaware corporation, with its principal office located in Peapack, New Jersey, merged with MP Sub Incorporated, a wholly-owned subsidiary of Monsanto Company, a Delaware corporation, with its principal office located in St. Louis, Missouri. Pharmacia & Upjohn, Inc. was the surviving entity of that merger. Monsanto Company then changed its name to Pharmacia Corporation. The end result of the merger was that Pharmacia & Upjohn, Inc. became a wholly-owned subsidiary of Pharmacia Corporation, a Delaware corporation, with its principal office located in Peapack, New Jersey.

#### History of Pharmacia & Upjohn, Inc.:

Pharmacia & Upjohn Inc. was created in 1995 by a merger of equals between The Upjohn Company, with its principal office located in Kalamazoo, Michigan, and Pharmacia AB, a Swedish-based company.

Most U.S. operations of Pharmacia AB were conducted by Pharmacia Inc., which was merged into The Upjohn Company. The Upjohn Company then changed its name to Pharmacia & Upjohn Company, a wholly-owned subsidiary of Pharmacia & Upjohn, Inc.

#### History of Monsanto Company:

Monsanto Chemical Company was incorporated in Delaware in 1933 and in 1964 changed its name to Monsanto Company.

On January 1, 1986, G.D. Searle & Co., a Delaware corporation, was acquired by Monsanto Company and became a wholly-owned subsidiary. Thus, Searle is now a wholly-owned subsidiary of Pharmacia Corporation.

Effective September 1, 1997, Monsanto spun off its former chemical businesses into a separate company named Solutia Inc.



Monsanto Ag Company was incorporated on February 9, 2000, as a wholly-owned<sup>1</sup> subsidiary of Monsanto Company. On March 31, 2000, immediately following the change of name of Monsanto Company to Pharmacia Corporation, Monsanto Ag Company changed its name to Monsanto Company. (The corporation currently known as Monsanto Company is therefore a different corporation than the original Monsanto Company prior to the merger on March 31, 2000. Generally speaking, the newly created Monsanto Company has assumed the assets and certain liabilities associated with the non-pharmaceutical business of the former Monsanto Company prior to the March 31, 2000 merger.)

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<sup>1</sup> An initial public offering of approximately fifteen percent of the Monsanto stock occurred in October 2000.